

1 Muriel B. Kaplan, Esq. (SBN 124607)
Michele R. Stafford, Esq. (SBN 172509)
2 Shaamini A. Babu, Esq. (SBN 230704)
SALTZMAN & JOHNSON LAW CORPORATION
3 120 Howard Street, Suite 520
San Francisco, CA 94105
4 (415) 882-7900
(415) 882-9287 – Facsimile
5 mkaplan@sjlawcorp.com
mstafford@sjlawcorp.com
6 sbabu@sjlawcorp.com

7 Attorneys for Plaintiff
BAY AREA PAINTERS AND TAPERS
8 PENSION FUND, et al.

9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 BAY AREA PAINTERS AND TAPERS
PENSION FUND, et al.,

12 Plaintiffs,

13 v.

14 FRANK WILLIAM MITCHELL, individually
and dba MITCHELL CONSTRUCTION
15 DRYWALL METAL STUDS,

16 Defendant.

Case No.: C08-0530 MMC

**REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE**

CMC: Friday May 2, 2008
Time: 10:30 a.m.
Courtroom: 7, 19th Floor
Location: 450 Golden Gate Avenue
San Francisco, CA
Judge: Honorable Maxine M. Chesney

18 Plaintiffs hereby request that the Case Management Conference currently scheduled for
19 Friday May 2, 2008, at 10:30 a.m. be continued for at least thirty (30) days.

20 1. The Clerk entered the default of Defendants on March 4, 2008.
21 2. To date, Defendants have failed to appear in this action. Thus, Plaintiffs filed a
22 Motion for Entry of Default Judgment (“Motion”) on April 8, 2008. The Motion is calendared to
23 be heard by this Court on Friday, May 23, 2008, at 9:00 a.m.
24

25 3. Plaintiffs respectfully request that the Court continue the Case Management
26 Conference for a period of at least thirty (30) days, or alternatively, continue it to be heard on the
27 same date and at the same time as the Motion. Good cause exists to continue the Case
28

**REQUEST TO CONTINUE CMC
CASE NO.: C08-0530 MMC**

1 Management Conference as requested herein because once the Court reaches a decision regarding
2 the Motion, it may be unnecessary to proceed with a Case Management Conference. As such, the
3 continuance will minimize attorneys' fees and costs for all parties.

4 I declare under penalty of perjury that I am one of the attorneys for the Plaintiffs in the
5 above entitled action, and that the foregoing is true of my own knowledge.

6 Executed this 15th day of April, 2008, at San Francisco, California.

7
8 SALTZMAN & JOHNSON LAW CORPORATION

9
10 By: _____/s/_____
11 Shaamini A. Babu
12 Attorneys for Plaintiffs

13 IT IS SO ORDERED.
14

15
16 Date: _____

17 MAXINE M. CHESNEY
18 UNITED STATES DISTRICT COURT JUDGE
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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On April 15, 2008, I served the following document(s):

REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Frank Mitchell
dba Mitchell Construction Drywall Metal Studs
310 Rancho Murieta Drive, Apt. D
Vacaville, California 95687**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 15th day of April, 2008, at San Francisco, California.

_____/s/_____
Vanessa de Fábrega